ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

ಚುಕ್ಕೆ ಗುರುತಿಲ್ಲದ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ : 1515 (1892)
ಸದಸ್ಯರ ಹೆಸರು : ಶ್ರೀ ಎನ್. ಅಪ್ಪಾಜಿಗೌಡ (ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಕ್ಷೇತ್ರ)
ಉತ್ತರಿಸುವ ದಿನಾಂಕ : 22-03-2021
ಉತ್ತರಿಸುವ ಸಚಿವರು : ಮಾನ್ಯ ಅರಣ್ಯ, ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಸಚಿವರು

ಕ್ರ.ಸಂ.	ಪ್ರಶ್ನೆ	ಉತ್ತರ
ಅ)	ಅರಣ್ಯ ಸಂರಕ್ಷಣಾ ಕಾಯ್ದೆ 1980 ಸೆಕ್ಷನ್ 2(2)ರ ಪ್ರಕಾರ ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆಯಲ್ಲಿ ತುಂಗಾಭದ್ರಾ ಮೇಲ್ದಂಡೆ ಯೋಜನೆಗೆ ಎಷ್ಟು ಅರಣ್ಯ ಪ್ರದೇಶವನ್ನು ನೀಡಲಾಗಿದೆಯೇ; ಈ ಸಂಬಂಧ ಕೇಂದ್ರ ಅರಣ್ಯ ಮತ್ತು ಪರಿಸರ ಇಲಾಖೆಯ ಆದೇಶ ಪ್ರತಿಗಳನ್ನು ನೀಡುವುದು;	ತುಂಗಭದ್ರಾ ಮೇಲ್ದಂಡೆ ಯೋಜನೆಗಾಗಿ 449.55 ಹೆಕ್ಟೇರ್ ಅರಣ್ಯ ಪ್ರದೇಶವನ್ನು ಬಿಡುಗಡೆ ಮಾಡಲು ಅರಣ್ಯ (ಸಂರಕ್ಷಣೆ) ಕಾಯ್ದೆ, 1980ರ ಸೆಕ್ಷನ್ 2(ii)ರ ಪ್ರಕಾರ ಕೇಂದ್ರ ಸರ್ಕಾರವು ಪತ್ರ ಸಂಖ್ಯೆ: F.No.8-30/97/-FC ದಿನಾಂಕ: 14.12.2004ರ ಮೂಲಕ ಅನುಮೋದನೆ ನೀಡಿದೆ. ಸದರಿ ಅನುಮೋದನೆ ಆಧಾರದ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಆದೇಶ ಸಂಖ್ಯೆ: ಎಫ್‌ಇಇ 89 ಎಫ್‌ಜಿಎಲ್ 1994 ದಿನಾಂಕ: 13.01.2005ರ ಮೂಲಕ ಮಂಜೂರಾತಿ ನೀಡಲಾಗಿದೆ. ಸದರಿ ಆದೇಶದ ಪ್ರತಿಗಳನ್ನು **ಅನುಬಂಧ-1** ರಲ್ಲಿರಿಸಿದೆ. ತುಂಗಭದ್ರಾ ಮೇಲ್ದಂಡೆ ಯೋಜನೆಗಾಗಿ 449.55 ಹೆಕ್ಟೇರ್ ಪೈಕಿ 443.13 ಹೆಕ್ಟೇರ್ ವಿಸ್ತೀರ್ಣವು ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲಾ ವ್ಯಾಪ್ತಿಗೆ ಒಳಪಡುತ್ತದೆ.
ಆ)	ಪರಿಹಾರಾತ್ಮಕವಾಗಿ ನೆಡುತೋಪು ನೆಡಲು ಬದಲೀ ಜಾಗವನ್ನು ನೀಡಲಾಗಿದೆಯೇ; ಎಷ್ಟು ಜಾಗವನ್ನು ಯಾವ ಪ್ರದೇಶದಲ್ಲಿ ನೀಡಲಾಗಿದೆ ಹಾಗೂ ಆ ಪ್ರದೇಶದಲ್ಲಿ ಅರಣ್ಯೀಕರಣ ಮಾಡಲಾಗಿದೆ; (ಸಂಪೂರ್ಣ ವಿವರ ನೀಡುವುದು)	ಪರಿಹಾರಾತ್ಮಕ ನೆಡುತೋಪು ಬೆಳೆಸಲು ಶಿವಮೊಗ್ಗ ಜಿಲ್ಲೆ ತೀರ್ಥಹಳ್ಳಿ ತಾಲ್ಲೂಕಿನಲ್ಲಿ 450 ಹೆಕ್ಟೇರ್ ಅರಣ್ಯೇತರ (ಕಂದಾಯ) ಭೂಮಿಯನ್ನು ಉಪಯೋಗಿ ಸಂಸ್ಥೆಯು ಅರಣ್ಯ ಇಲಾಖೆಗೆ ವರ್ಗಾಯಿಸಿರುತ್ತದೆ. ಆದರೆ, ಪರಿಹಾರಾತ್ಮಕ ನೆಡುತೋಪುಗಳನ್ನು ಈ ಕೆಳಕಂಡ ವಿಭಾಗಗಳ ಅರಣ್ಯೇತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಬೆಳೆಸಲಾಗಿರುತ್ತದೆ. 1. ಶಿವಮೊಗ್ಗ ವಿಭಾಗ – 113.00 ಹೆಕ್ಟೇರ್ 2. ಭದ್ರಾವತಿ ವಿಭಾಗ – 60.00 ಹೆಕ್ಟೇರ್ 3. ಮಂಡ್ಯ ವಿಭಾಗ – 145.00 ಹೆಕ್ಟೇರ್ **ಒಟ್ಟು – 318.00 ಹೆಕ್ಟೇರ್** ನೆಡೆತೋಪು ಬೆಳೆಸಿರುವ ಸ್ಥಳಗಳ ವಿವರಗಳನ್ನು **ಅನುಬಂಧ-2** ರಲ್ಲಿರಿಸಿದೆ.
ಇ)	ಪರಿಹಾರತ್ಮಕವಾಗಿ ನೆಡುತೋಪು ಬೆಳೆಸಲು ಉಪಯೋಗಿ ಸಂಸ್ಥೆಯವರಿಂದ ಎಷ್ಟು ಮೊತ್ತವನ್ನು ಇಲಾಖೆಗೆ ಪಾವತಿಸಿಕೊಳ್ಳಲಾಗಿದೆ? (ಮಾಹಿತಿ ನೀಡುವುದು)	450 ಹೆಕ್ಟೇರ್ ಪ್ರದೇಶದಲ್ಲಿ ಪರಿಹಾರಾತ್ಮಕ ನೆಡುತೋಪು ಬೆಳೆಸಲು ಉಪಯೋಗಿ ಸಂಸ್ಥೆಯವರಿಂದ ರೂ.2,43,90,000/- ಮೊತ್ತವನ್ನು ಕ್ಯಾಂಪಾ (CAMPA) ಖಾತೆಗೆ ಪಾವತಿಸಿಕೊಳ್ಳಲಾಗಿರುತ್ತದೆ.

ಸಂಖ್ಯೆ: ಅಪಜೀ 27 ಎಫ್‌ಎಲ್‌ಎಲ್ 2021

(ಅರವಿಂದ ಲಿಂಬಾವಳಿ)
ಅರಣ್ಯ, ಕನ್ನಡ ಮತ್ತು ಸಂಸ್ಕೃತಿ ಸಚಿವರು

ಅನುಬಂಧ 1

F. No. 8-30/97-FC
Government of India
Ministry of Environment & Forests
F.C. Division

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003.
Dated: 13-12-2004

To

The Principal Secretary (Forests),
Government of Karnataka.
Bangalore.

Sub: Diversion of 449. hectare of forest land for Upper Tunga Project, Distt. Shimoga, Karnataka.

Sir,

I am directed to refer to your letter No.FEE 89 FGL 94 dated 16-12-1996 on the above mentioned subject, seeking prior approval of the Central Govt. in accordance with Section-2 of Forest (Conservation) Act 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

After careful consideration of the proposal of the State Government and on the basis of the recommendation of the above mentioned Advisory Committee, Indian Board of Wildlife, Central Empowered Committee and the orders of the Hon'ble Supreme Court, the Central Government hereby conveys its approval under section 2 of Forest (Conservation) Act 1980, for diversion of 449.55 hectare forest land for Upper Tunga Project, District Shimoga, Karnataka, subject to fulfilment of following conditions -

1. Legal status of forest land shall remain unchanged.
2. Compensatory afforestation shall be raised and maintained over equivalent non-forest land by the State Forest Department.
3. The non forest land for compensatory afforestation, shall be notified by the State Government as RF under section 4 of the Indian Forest Act, 1927 or the State Forest Act within a period of 6 months and Nodal Officer (Forest Conservation) shall report the compliance.
4. Along the banks of the reservoir, plantations shall be raised and maintained by the State Forest Department.
5. The State Government shall deposit all the funds including Net Present Value of diverted forest land with Compensatory Afforestation Fund Management and Planning Authority (CAMPA). Till such time the CAMPA intimates the Head of Account for deposition of funds, the funds will be maintained in the form of fixed deposits in a Nationalized Bank in the name of concerned Nodal Officer/DFO by the State Government.
6. Demarcation of the area will be done on ground at project cost using four feet high RCC pillars. The pillars shall indicate serial numbers, forward and back bearings and distance between adjacent pillars.

7. Trees shall not be felled upto 2 metre below FRL.
8. Trees shall be felled under the supervision of State Forest Department and only when it becomes necessary
9. Islands of the Mi degadde Bird Sanctuary shall be raised sufficiently to avoid its submergence at th project cost under supervision of Wildlife wing of State Forest Department.
10. All the safeguards and conditions stipulated by the Indian Board of Wildlife (IBWL) shall be strictly followed.
11. Reservoir so create shall be declared as 'Reserved Forest' under Indian Forest Act, 1927 and regulated fishir rights shall be allowed.
12. Water will be provided free of cost to the Forest Department for raising nursery/plantations in nearby areas.
13. No labour camps shall be established on the forest land. Labourers shall be provided fuelwood after procuring it from the State Forest Development Corporation
14. The catchment are treatment works shall be executed as per the plan under the supervision of the State Forest Department.
15. The forest land shall not be used for any purpose other than that specified in the proposal.
16. Any other condition that the State Government or the Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time to in the interest of conservation, protection or development of forests.

Yours faithfully,

(ANURAG BAJPAI)
Assistant Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Karnataka, Bangalore.
2. Member Secretary, Central Empowered Committee for information.
3. The Chief Conservator of Forest (Central), Regional Office, Bangalore.
4. The Nodal Officer, Office of the PCCF, Government of Karnataka, Bangalore.
5. DIG (Wildlife), Ministry of Environment & Forests for information.
6. RO (Hq), New Delhi.
7. Director (FA), Ministry of Environment and Forests
8. Shri A.D.N. Rao, Advocate, Supreme Court for information.
9. User Agency.
10. Monitoring Cell of FC Division
11. Guard file.

(ANURAG BAJPAI)
Assistant Inspector General of Forests

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Sub: Diversion of 449.55 ha of forest land for Upper Tunga Project, Shimoga District.

Read: 1. Letter No. A5(B3)GFL.CR-93/93-94 Dated: 16.6.1994 of Principal Chief Conservator of Forests, Bangalore.

2. State Government letter No. FEE 89 FGL 94 dated: 12.7.1994

3. Letter No. FCA/16.1/KAR/31/IPJ/1998 dated: 19.08.1994 of Government of India, Ministry of Environment and Forests, Regional Office (South Zone), Bangalore.

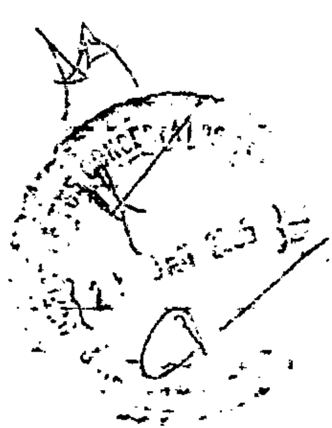
4. Letter No. A5(B3)GFL.CR-93/93-94, Dated: 22.4.1996 of Principal Chief Conservator of Forests, Bangalore.

5. State Government letter No. FEE 89 FGL 94 dated: 16.12.1996

6. Letter No. F.No.8-30/97-FC dated: 1.10.2003 of Government of India, Ministry of Environment and Forests, New Delhi.

7. State Government letter No. FEE 89 FGL 94 dated: 3.11.2004.

8. Letter No. F No.8-30/97-FC, dated: 13/14.12.2004 of Government of India, Ministry of Environment and Forests, New Delhi.



PREAMBLE:

The Principal Chief Conservator of Forests, Bangalore vide his letter dated 16.6.94 read at (1) above has submitted the proposal to obtain the approval of Government of India for release of 17 acres of forest land in the Gazanur Forest area to run the High Level canal for a length of 1.25 K.M.

1714/25-1-05

Accordingly the proposal was recommended to Government of India vide State Government letter dated 12.7.1994 read at (2) above.

The Government of India, Ministry of Environment and Forests Regional Office, South Zone, Bangalore vide their letter 19.8.1994 requested the State Government for the assessment of requirement of forest for diversion in the Upper Tunga Project realistically and the revised proposal be submitted to Government of India for clearance.

1026/22/11

The Principal Chief Conservator of Forests, Bangalore vide his letter

approval of Government of India under Section 2 of Forest (Conservation) Act,1980 for diversion of 449.55 ha. of forest land for Upper Tunga Project Shimoga, subject to certain conditions.

Accordingly the proposal was recommended to Government of India vide State Government letter dated.16.12.96 read at (5) above.

The Government of India Ministry of Environment and Forests Ministry of Environment and Forests, New Delhi vide their letter dated 1.10.2003 read at (6) above has given its approval in principle(Stage-I) subject to fulfillment of certain conditions and the same was communicated to the Principal Chief Conservator of Forests, Bangalore for compliance vide State Government letter dated 4.11.2003.

The Principal Chief Conservator of Forests, Bangalore vide in his letter dated 15.10.2004 has furnished the compliance report The same has been sent to Government of India vide State Government letter dated: 3.11.2004 read at (7) above

Finally, Government of India Ministry of Environment and Forests, New Delhi vide their letter dated 13/14.12.2004 read at (8) above has conveyed its approval (Stage-II) under Section 2 of forest (Conservation)Act,1980 for diversion of 449.55 ha. of forest land for Upper Tunga Project in Shimoga District subject to certain conditions

The proposal has been examined in detail and hence the order

<u>GOVERNMENT ORDER NO. FEE 89 FGL 1994,</u>
<u>BANGALORE, DATED: 13.1.2005.</u>

In the Circumstances explained in the preamble above Government are pleased to accord sanction under Section 2 of Forest (Conservation) Act,1980 for diversion of 449.55 ha. of forest land for Upper Tunga Project in Shimoga District subject to the following conditions:

1. The legal Status of the forest land shall remain unchanged.
2. The Compensatory afforestation shall be raised and maintained over equivalent non forest land by the State Forest Department.
3. The non-forest land for compensatory afforestation shall be notified by the State Government as RF under Section-4 of the Indian Forest Act 1927 or the State Forest Act within a period of 6 months and Nodal Officer(Forest Conservation) shall report the compliance
4. Along the banks of the reservoir, plantations shall be raised and [illegible] Forest Department

5. All the funds obtained as Net Present Value of diverted forest land should be deposited with Compensatory Afforestation Fund Management and Planning Authority (CAMPA)
6. Demarcation of the area will be done on ground at project cost using four feet high RCC pillars with serial numbers, forward and back bearings and distance between adjacent pillars
7. Trees shall not be felled up to 2 meter below FRL.
8. Trees shall be felled under the supervision of State Forest Department and only when it becomes necessary.
9. Islands of the Mandagadde Bird Sanctuary shall be raised sufficiently, to avoid its submergence at the project cost under supervision of Wildlife wing of State Forest Department
10. All the safeguards and conditions stipulated by the Indian Board of Wildlife(IBWL) shall be strictly followed
11. Reservoir so created shall be declared as 'Reserved Forest' under Indian Forest Act, 1927 and regulated fishing rights shall be allowed.
12. Water will be provided free of cost to the Forest Department for raising nursery/plantations in nearby areas
13. No labour camps shall be established on the forest land. Labourers shall be provided fuel wood after procuring it form the State Forest Development Corporation
14. The catchment area treatment works shall be executed as per the plan under the supervision of the State Forest Department
15. The forest land shall not be used for any purpose other than that specified in the proposal
16. Irrigation Department should provide water canal to raise irrigated plantations by the Forest Department as and when required
17. Necessary funds shall made available to the Forest Department for raising road side and canal side plantations all along the stretch falling in the jurisdictions (to be estimated by the Forest Department).
18. The user agency has to pay the Net present value (NPV) fixed by Government vide Notification No. FEE 247 FGI 2003, dated: 17.1.2004.
19. The total forest area utilized for the project shall not exceed 449.55 ha, and it should be used only for the purpose for which it is granted. In case the land is not used for the stipulated purpose or when it no longer needed for the stipulated purpose the area should automatically revert back to the forest department
20. The lessee has to pay the lease rent as fixed by the Government of Karnataka from time to time.
21. The user agency shall pay the cost of raising compensatory

22. The user agency shall pay the cost of extraction of trees as estimated by the Department.

23. Any other condition to be stipulated by State Government/Government of India/Principal Chief Conservator of Forests, Karnataka from time to time in the interest of conservation, protection or development of forests.

By order and in the name of the
Governor of Karnataka.

Vatsala K 13-1-2021
(S.R. VATSALA)
Under Secretary to Government,
Forest, Ecology and Environment Department

To:

The Compiler, Karnataka Gazette, Bangalore for publication in the next issue of the Gazette and request to supply 50 copies to State Government and 50 copies to Principal Chief Conservator of Forests, Bangalore.

Copy to:

1. Secretary to Government of India, Ministry of Environment
2. and Forest Paryavaran Bhavan CGO Complex, Lodhi Road, New Delhi 110 003.
3. The Chief Conservator of Forests (Central) Government of India, Ministry of Environment and Forests, Regional Office (South Zone), Kendriya Sadana, 4th Floor, E & F Wing, 17th Main, Koramangala, Bangalore-34
4. Accountant General (Audit I and II) Accounts, Karnataka, Bangalore.
5. The Secretary to Government, Irrigation Department, M S Building, Bangalore.
6. The Principal Chief Conservator of Forests, Aranya Bhavan Bangalore.
7. The Principal Chief Conservator of Forests (Wildlife), Aranya Bhavan, Bangalore
8. The Conservator of Forests (Nodal Officer), Office of the Principal
9. Chief Conservator of Forests, Aranya Bhavan, Malleswaram, Bangalore
10. The Conservator of Forests, Shimoga Circle, Shimoga.
11. The Deputy Conservator of Forests, Shimoga Division, Shimoga
12. Managing Director, Karnataka Neeravari Nigama Limited, No.1, Coffee Board Building, 1st Floor, Dr Ambedkar Veedhi, Bangalore-1.
13. S G F

ಅನುಬಂಧ - **೨**

ಪರಿಹಾರಾತ್ಮಕ ನೆಡುತೋಪು ಬೆಳಸಿದ ವಿವರ						
ಕ್ರ.ಸ.	ವಿಭಾಗ	ಜಿಲ್ಲೆ	ತಾಲ್ಲೂಕು	ಗ್ರಾಮ	ಸ.ನಂ.	ವಿಸ್ತೀರ್ಣ (ಹೆಕ್ಟೇರ್)
1	Bhadravathi	Chikmagaluru	Kadur	Hullehalli	6	20.00
2	Bhadravathi	Chikmagaluru	Tarikere	Beguru	15 & 16	20.00
3	Bhadravathi	Chikmagaluru	Tarikere	Guddada halli	20	20.00
	Bhadravathi Division total					**60.00**
4	Mandya	Mandya	Pandavapura	Anunahalli	18	10.00
5	Mandya	Mandya	Srirangapatna	Gobbaragala	35	40.00
6	Mandya	Mandya	K.R.pete	Chokanahalli	36 & 56	15.00
7	Mandya	Mandya	Nagamangala	H.Kyatanahalli	23	20.00
8	Mandya	Mandya	Nagamangala	Irukanaghatta	45	20.00
9	Mandya	Mandya	Srirangapatna	Vadiyandahalli	20	20.00
10	Mandya	Mandya	Pandavapura	Gummanahalli	227	10.00
11	Mandya	Mandya	Malavalli	Netkal	118	10.00
	Mandya Division total					**145.00**
12	Shivamogga	Shivamogga	Thirthahalli	Bekkanuru	12 & 21	20.00
13	Shivamogga	Shivamogga	Thirthahalli	Hadaginamakki	4 & 14	20.00
14	Shivamogga	Shivamogga	Thirthahalli	Bekkanuru	2	20.00
15	Shivamogga	Shivamogga	Thirthahalli	Honnekere	44	15.00
16	Shivamogga	Shivamogga	Thirthahalli	Ingladi	13	12.00
17	Shivamogga	Shivamogga	Thirthahalli	Hadaginamakki	14	10.00
18	Shivamogga	Shivamogga	Thirthahalli	Almane	55	8.00
19	Shivamogga	Shivamogga	Thirthahalli	Herambapura	56	8.00
	Shivamogga Division Total					**113.00**
	Grand total					**318.00**